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SUBJECT: PHILIPPINES: FORCED LABOR AND EXPLOITATIVE CHILD LABOR IN  
THE PRODUCTION OF GOODS

REF: A. STATE 43120 (Forced Labor and Child Labor)  
[B](#). MANILA 539 (2008 Trafficking in Persons Report)  
[C](#). 07 MANILA 3857 (2007 Child Labor Update)

[1](#). SUMMARY: This cable provides input for the Department of Labor's request for information on forced labor and exploitative child labor in the production of goods as mandated by the Trafficking Victims Protection Reauthorization Act of 2005 (ref A). Post's point of contact for child labor and forced labor issues is Political Officer Barry Fullerton (E-mail: FullertonTB@state.gov; Phone: +63-2-301-2350; Fax: +63-2-301-2472). End Summary.

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Goods Produced Using Exploitative Child Labor  
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[2](#). After surveying available data as well as interviewing primary contacts on labor issues, Post determined that the following goods are sometimes produced with exploitative child labor in the Philippines: a) sugarcane; b) firecrackers and other pyrotechnic articles; c) gold ores; d) tobacco; and e) fish. There are scattered anecdotal reports that child labor is sometimes used in producing other agricultural products, such as rice, bananas, and mangoes; however, Post could find no reliable data on the subject.

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[A](#). Sugarcane  
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Since sugarcane is one of the largest crops in the Philippines, sugar plantations are scattered throughout the country, with the biggest concentrations in the provinces of Negros Occidental and Negros Oriental in the Visayas - two provinces that produced 57 percent of the country's total sugar production in 2007. In 2002, the International Labor Organization International Program on the Elimination of Child Labor (ILO-IPEC) estimated that 60,000 children worked in sugarcane plantations nationwide. The ILO-IPEC Time-Bound Program Baseline Survey in 2006 accounted for 5,583 children working in the sugarcane industry. Various government and non-government studies have documented the presence of child labor in sugarcane plantations in the provinces of Bukidnon, Leyte, Negros Occidental, Negros Oriental, Sarangani, and Tarlac. The underage workers on sugarcane plantations are typically the children of adult sugar workers or peasants who live on or just outside the plantations.

Child laborers are involved in the cane-growing phase of sugar production, engaging in weeding, plowing, and fertilizing during pre-production period and the cutting and hauling of cane during harvest season. Children aged seven to 10 years old allegedly help to plant the cane and to weed or clear the fields of tall grasses using large cutting knives called "bolos."

Both adults and children carry heavy loads of cane in order to earn more money for their families. Carrying heavy loads of cane is not

only strenuous work for children but also reportedly causes injuries and accidents, such as breaking of shoulders or spines, and other physical damage to their developing bodies. Children are also exposed to the hazards of extreme heat and the use of dangerous tools.

#### Sources of Information:

ILO-IPEC Supporting the Time-Bound Program on the Elimination of the Worst Forms of Child Labor in the Republic of the Philippines, 2002.

ILO-IPEC, March 2006. Time-Bound Program Baseline Survey: Integrative Report.

Center for Investigative Research and Multimedia Services (CIRMS), July 2005. Ang Mga Batang Negros: A Study on Child Labor Incidence and Dynamics

De Boer, Jennifer, June 2005. Sweet Hazards: Child Labor on Sugarcane Plantations in the Philippines. Terre des Hommes.

Rollolazo, Mildred and Luisa Logan, 2002. An In-Depth Study on the Situation of Child Labor in the Agriculture Sector. ILO-IPEC.

Apit, Alejandro, January 2002. Child Labor in the Sugar Plantations: A Cursory Assessment. ILO-IPEC.

#### B. Firecrackers and other pyrotechnic articles

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The pyrotechnics industry in the Philippines is largely a household-based, micro-level enterprise. Although there are a few licensed large-scale manufacturers, pyrotechnics production typically follows a sub-contracting supply chain wherein a buyer or distributor orders the materials from a small producer. These small producers then share the orders with groups of families with small workshops in their backyards or within their villages. These unlicensed workshops lack safety policies and procedures. With no technological improvements, the manufacturers still use a crude method of manual production with simple tools.

Many NGOs have reported that children aged five to 15 years old work in the pyrotechnics industry, and an ILO-IPEC baseline survey in 2006 found 1,718 children working in the pyrotechnics industry. Child workers are involved in easy tasks such as folding of brown paper into a funnel shape and rolling and pasting cylindrical paper tubes, both of which will be later filled with chemical powders; the wrapping of dried fuses soaked in charcoal, potassium chlorate, sulfur and starches; and the wrapping and labeling of finished pyrotechnic products into packages or carton boxes. Children below 18 years old are not allowed by law to place the chemicals, a mixture of potassium perchlorate, sulfur, aluminum, and ammonium nitrate, into the folded or rolled paper containers. However, some studies and NGOs observed older children aged 15 to 17 years old helping adults in loading the chemical mixtures into the paper containers and in inserting and sealing the fuses of firecrackers.

Children are introduced to the work without any training or orientation on potential hazards to their health and life. Although most child laborers are not directly handling dangerous chemicals, the pyrotechnics workshops are located near the children's homes or in their own backyards, thus exposing the children to highly flammable and combustible substances. Many children reportedly suffer from dizziness, asthma, weight loss, sore eyes, backaches and breathing difficulties.

#### Sources of Information:

Ao, Daisy Elena, February 2002. A Cursory Assessment Study on the Situation of Child Labor in the Pyrotechnics Industry in the Philippines. ILO-IPEC.

Balabo, Dino. "Change Comes Slowly to the Pyrotechnic Industry."  
Manila Times. December 31, 2003

Edralin, Divina, September 2002. In-Depth Study on the Situation of  
Child Labor in the Pyrotechnics Industry. ILO-IPEC.

ILO-IPEC, December 2005. Employers' Demand for Child Labor in the  
Pyrotechnics and Fashion Accessories Industries in the Philippines.

ILO-IPEC, March 2006. Time-Bound Program Baseline Survey:  
Integrative Report.

Interview with World Vision Development Foundation ABK 2 program  
manager, April 29, 2008.

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C. Gold ores  
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A 2001 National Statistics Office (NSO) survey identified 18,000  
children aged five to 17 years old working in the mining and  
quarrying industries, of which approximately 50 percent were between  
10 and 14 years old.

Child laborers typically work in small-scale mining sites,  
particularly the gold mines and gold rush areas in the provinces of  
Camarines Norte and Masbate in the Bicol Region, and Bukidnon,  
Compostela Valley, Davao del Norte, and Surigao del Norte in  
Mindanao. An ILO-IPEC project reported that it had withdrawn or  
prevented 2,287 children from engaging in hazardous work in mining  
areas from 2002 to 2007, while a similar World Vision project  
reported that it had withdrawn or prevented 1,519 children from  
doing such work from 2003 to 2007.

Extraction and production methods in small-scale mining are  
labor-intensive and hazardous, and often utilize improvised  
low-level technologies. These small-scale mining areas are  
typically located in rural communities, where the lack of other  
livelihood opportunities, particularly during off-season for farming  
and fishing, pushes these communities to engage in mining. The  
mining projects typically operate outside government oversight or  
regulation.

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Families often involve their children in the gold industry. Child  
laborers are reportedly involved in all phases of gold mining, from  
extraction to processing, as well as collecting, sorting, and  
transporting the aggregate, or cooking and cleaning the aggregate  
under hazardous conditions and in locations far removed from  
educational facilities or adequate social services. Children work  
in make-shift tunnels exposing them to risks of landslides and  
tunnel collapses. The use of mercury in gold ore processing has  
resulted in numerous cases of mercury poisoning.

Sources of Information:

ILO-IPEC. 2007. Final Technical Report of the IPEC Time-Bound  
Program for the Philippines.

ILO-IPEC, March 2006. Time-Bound Program Baseline Survey:  
Integrative Report.

National Statistics Office. 2001. Survey on Children 5-17 Years  
Old.

Tuazon, Kennedy. 2002. in-Depth Study on the Worst Forms of Child  
labor in Mining and Quarrying Industries in the Philippines.  
ILO-IPEC.

World Vision Development Foundation. 2008. Presentation on the Final  
Results of the ABK Initiative (Phase 1).

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D. Tobacco

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Government and NGO studies have found the presence of child labor in tobacco plantations in Ilocos Norte, Ilocos Sur, La Union, and Pangasinan in Northern Luzon, all among the top provinces producing tobacco in the country. Although there are no available estimates on the number of children working on tobacco plantations, a Department of Labor and Employment (DOLE) program from 2003 to 2006, the Elimination of Child Labor in Tobacco Industry, withdrew and assisted 100 children, who were either frequently absent or dropped out of school to help their family in the tobacco farms. The program was renewed for a second phase to be implemented from 2007 to 2009, with the goal of withdrawing and assisting 200 child workers from tobacco farms.

Child laborers are typically involved in tobacco seedbed preparation, which includes the cultivation of plants for water percolation, weeding, plowing of seedbeds, and assisting adults to spray chemical fertilizers. The children also help plant, transplant, water, and apply fertilizer to the tobacco seedlings. During harvest time, children harvest the grown tobacco leaves and attach the leaves to bamboo sticks for sun-drying.

On average, children work part-time from two to three hours on schooldays and as long as 10 hours on weekends. The long hours of work in hot weather and the use of heavy equipment deprives the child laborers of sleep and causes fatigue. The children also suffer injuries from the use of tools, dermatitis from the over-exposure to the sun and fertilizer, and bites and stings from insects in the farm. The exposure to toxic chemicals during spraying and fertilizer application can also be hazardous to the children's health. Some children also suffer from asthma and rhinitis as a result of their contact with tobacco leaves.

#### Sources of information:

DOLE Bureau of Women and Young Workers (BWYW) response to U.S. Embassy, Manila request for information on the use of worst forms of child labor and forced labor in the production of goods. May 15, 2008.

Eliminating Child Labor in the Tobacco Industry (ECLT) Foundation website, <http://www.eclt.org>.

Gapasin, Ernesto. 2003. Involvement and Participation of Child Labor in the Tobacco Industry in Region I.

Torres, Amaryllis, et. al. February 2002. Rapid Appraisal of Child Labor in the Tobacco Industry: Case Studies in Two Ilocos Provinces. PARTNERS International.

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E. Fish  
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According to the 2001 NSO Survey, approximately 208,000 children

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aged 5 to 17 years old worked in the fishing industry. Forty-seven percent of these children belonged to the age group 5 to 14 years, and 91 percent were boys. Results of three 2001 ILO-IPEC studies in Negros Oriental and Cebu identified 800 children below 18 years old involved in or at risk of hazardous work in the fishing industry in the two provinces. ILO-IPEC and World Vision projects combating child labor withdrew or prevented a total of 4,191 children from hazardous work in the deep sea fishing industry.

Employees of fishing operators called "canvassers," and sometimes even relatives, recruit both adult and child laborers from coastal and upland areas to join on deep-sea fishing expeditions. The canvassers give cash advances from 2,000 to 5,000 pesos (\$47 to \$116) to the parents of the children. Some parents also take their children on these fishing trips. Fishing expeditions typically last from six to ten months. The main fish species caught include roundsad, Indian sardines, Frigate tuna, skipjack, yellowfin tuna, big-eyed scad, slipmouth, Indian mackerel and anchovies.

There are two fishing methods in which children are typically involved - "pa-aling" and "kubkub." The "pa-aling" method requires fishermen to swim and dive into deep waters to scare fish from the coral. Hoses are attached to surface air compressors to form a bubble curtain to force fish into the fishermen's nets. Children also help fishermen to repair damaged equipment and to operate small motor boats. Children reportedly work an average of 11 hours each day and start as early as three o'clock in the morning. Many child laborers on "pa-aling" expeditions complain of body pains, cuts, wounds, skin diseases, eye and hearing impairment, paralysis, body burns, exhaustion, fatigue. Children also reported that maltreatment by the boat captain was common.

Child workers in "kubkub" fishing operations, a method in which a ring net trawls behind the boat, are often assigned more difficult tasks such as pulling the nets, carrying and lifting coolers, pulling up the anchor, loading ice for the boat, operating the winch, pulling up the weights and collecting fish using scoop nets. Children on "kubkub" expeditions reported risks such as falling off the boat, drowning, body burns, or becoming entangled in the winches, ropes, or nets on the boats.

Sources of information:

DOLE Bureau of Women and Young Workers (BWYW) response to U.S. Embassy, Manila request for information on the use of worst forms of child labor and forced labor in the production of goods. May 15, 2008.

Remedio, Elizabeth. 2002. Children in Pa-aling and Kubkub Fishing Expeditions: An Assessment Report for the Deep-Sea and Fishing Sector Studies. ILO-IPEC.

#### F. Other Commercial Agricultural Products

Although there are few available in-depth studies on child labor in other commercial agricultural products, several NGOs report having identified children working on farms producing other agricultural products than sugarcane and tobacco. However, it is difficult to determine the rate of incidence without further data or additional anecdotal evidence.

The Kamalayan Development Foundation and ECLIPSE (Exodus from Child Labor to Integration, Play, Socialization and Education), both member organizations of the National Coalition Against Child Labor in Commercial Agriculture, conducted investigations in commercial agriculture and identified child workers working on farms producing rice, corn, sugar, pineapple, tobacco, rubber, onion, asparagus, durian, tiger grass, cassava, and mangoes. World Vision witnessed children working on rice, corn, and banana plantations in areas where the organization implemented its anti-child labor program. An ILO-IPEC study identified child laborers in sugar, rubber, banana and pineapple farming.

There are no available estimates on the number of child laborers working in these specific crop farms. According to the 2001 NSO survey, 1.3 million children aged 5 to 14 years old were found working in commercial agriculture, 59 percent of the total number of working children in the same age group. An ILO-IPEC baseline survey accounted for 7,690 children working in other commercial agriculture farms.

Child laborers on rice and corn farms are involved in land preparation, planting of seedlings, applying fertilizer, weeding, and harvesting. Farm owners directly hire child laborers during the

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planting and harvesting seasons. Children earn between 40 and 150 pesos (\$0.93 to \$.50) a day, depending on the tasks assigned to them. Owners of large fruit plantations producing pineapple, banana, mango and durian usually do not hire child workers directly. The owners contract entire families to work on specific tasks or harvest quotas in exchange for a fixed salary. Children in fruit



plantations perform similar tasks as adults, including land and seedling preparation, planting, applying fertilizers, spraying pesticide, and harvesting.

Child laborers in agriculture are exposed to physical, chemical and biological hazards. Children perform heavy physical labor for long hours, often enduring extremely hot temperatures. On fruit farms, children are prone to slipping and falling from the fruit trees. They are exposed to silica dust, sawdust and toxic chemicals from the fertilizers and pesticides they apply to the plants. The children are also prone to fungal and bacterial infections as a result of the work on the farms.

#### Sources of information:

Interviews with World Vision Development Foundation ABK 2 program manager, April 29, 2008; and Kamlayan Development Foundation, May 23, 2008.

National Coalition Against Child Labor in Commercial Agriculture (NCACLCA). March 2007. Child Labor in Commercial Agriculture in the Philippines: A Situationer.

National Statistics Office. 2001 Survey on Children 5-17 Years Old.

Rollolazo, Mildred and Luisa Logan, 2002. An In-Depth Study on the Situation of Child Labor in the Agriculture Sector. LO-IPEC.

#### ----- Goods Produced Using Forced Labor -----

13. There is no available information that would indicate significant incidence of forced labor in the production of goods in the Philippines. Post's research and inquiries with government, non-governmental and international organizations yielded no evidence of widespread forced labor in the production of any particular good.

#### ----- Isolated Incident of Forced Labor -----

In 2006, there was an isolated incident of trafficking for forced labor on a sugarcane plantation in the Batangas province. A group of 21 males, ranging from 15 to 39 years old, were recruited from the province of Zambales to work on a sugarcane plantation in Batangas. The workers were promised an initial daily salary of 120 pesos (\$2.80) and were given a cash advance of 500 pesos (\$11.63). They worked 12 hours each day, harvesting and loading sugarcane in trucks. A group of 10 to 15 workers were to be paid 1,000 pesos (\$23.25), which they would divide among themselves, for every ton of sugarcane harvested and loaded into the trucks. In actuality, each worker earned only 66 to 100 pesos (\$1.53 to \$2.32), below the declared salary and far below the prevailing minimum wage of 268 pesos (\$6.23) per day.

The workers lived in makeshift barracks and were deprived of adequate amounts of food. The management of the farm threatened to deprive the workers of food if they were caught not working and to kill them if they attempted to escape the farm. Four of the workers managed to escape and reported the situation to a local NGO. In December 2006, the National Bureau of Investigation conducted a raid and rescued the remaining workers in the plantation. The case remains open pending further investigation.

#### ----- Use of Prison Labor -----

There is no recent available information on the use of prison labor in the production of goods in the Philippines. The DOLE reported a 1998 fact-finding survey and evaluation on the use of prisoners as industrial, agricultural, or handicraft workers in seven penal facilities. According to DOLE's survey, the Philippine Bureau of Corrections entered into joint venture agreements with two private companies to employ inmates at Manila's New Bilibid Prison and the Davao Prison and Penal Farm.

A company engaged in the manufacturing and export of bamboo

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handicrafts, wood sculptures, printed decor, and artificial flowers engaged the services of inmates in the New Bilibid Prison. The production site was located within the medium security compound of the prison. Inmate workers were paid based on per-piece rate. The Bureau of Corrections also entered into a joint venture agreement with a neighboring banana farm at its Davao Prison and Penal Farm. Inmates worked on the farm and were paid the daily minimum wage. The respondents to the survey in both prisons indicated that they worked voluntarily and that they could refuse to work or terminate their service anytime they wish.

There were no other reported cases of forced labor during the period covered by the report.

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Government Initiatives to Combat  
Forced Labor and Child Labor  
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14. The Philippines has a strong set of laws to address the worst forms of child labor and to criminalize the use of forced labor or trafficked persons. DOLE is the lead government agency responsible for enforcing child labor and forced labor laws through its labor standards enforcement offices. DOLE employs only approximately 200 labor inspectors nationwide to monitor and enforce all aspects of the amended Labor Code, making it difficult to investigate complaints and violations effectively.

The Republic of the Philippines has signed and ratified the major international agreements to protect the rights and welfare of children, including the UN Convention on the Rights of the Child (ratified in January 1990); the Optional Protocol on the Sale of Children, Child Prostitution, and Child Pornography (ratified in April 2002); ILO Convention 138 on Minimum Age (ratified in June 1998); and ILO Convention 182 on the Worst Forms of Child Labor (ratified in November 2000). The Philippines ratified ILO convention 105 on the Abolition of Forced Labor in 1960.

Specific details on the government's child labor programs can be found in Post's annual Child Labor Update (ref C). Although there is no existing government program addressing forced labor specifically, the Anti-Trafficking in Persons Act of 2003 penalizes the recruitment, transportation, transfer or harboring, or receipt of persons for purposes of sexual exploitation, forced labor, slavery, and involuntary servitude. The Labor Code also penalizes the use of forced labor.

KENNEY